

REMARKS

Claims 1-6, 9, 10, 12, 13, 16-21, 24, 25, 29 and 30 are pending in this application. By this Amendment, claims 1, 6 and 12 are amended. No new matter is added.

I. Allowable Subject Matter

Applicants appreciate the indication of allowable subject matter in claims 3, 10 and 18-20, they being allowable if rewritten to overcome the rejection under 35 U.S.C. §112, second paragraph and to include all of the features of the base claim and any intervening claims. As none of claims 3, 10 and 18-20 are rejected under 35 U.S.C. §112, second paragraph, the objection to those claims are moot. Applicants assert that claims 3, 10 and 18-20 are allowable for at least the reasons discussed below.

II. Drawings

The drawings are objected to under 37 CFR §1.83(a). Specifically, the Office Action alleges that the features recited in claim 12 are not shown in the drawings.

Applicants submit that claim 12 is amended to recite *inter alia* "wherein the cylinder space is formed in the housing". The features shown in claim 1 are clearly shown in Fig. 2. Thus, Applicants respectfully request the objection to the drawings under 37 CFR §1.83(a) be withdrawn.

III. Claim Rejections Under 35 U.S.C. §112

Claim 12 is rejected under 35 U.S.C. §112, first paragraph. The rejection is respectfully traversed.

Applicants submit that amended claim 12 is fully supported in the specification. For example, paragraph [0023] indicates that the cylinder space 38 is formed in the housing. Thus, Applicants respectfully request the rejection of claim 12 under 35 U.S.C. §112, first paragraph, be withdrawn.

IV. Claim Rejections Under 35 U.S.C. §102

Claims 1, 2, 4, 9, 13, 21, 25, 29 and 30 are rejected under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 5,788,341 to Penrod et al. (Penrod).

Applicants assert that Penrod does not disclose each and every feature recited in the amended rejected claims. Penrod discloses a screw actuator wherein the screw is connected to the piston through a swivel or a single ball and cup. Additionally, such a layout is not fit for actuating brake pads of a disk brake.

In contrast, amended claim 1 recites, *inter alia* a screw actuator, comprising a housing, a motor and actuating member and a screw mechanism... which a screw mechanism comprises a screw, a nut engaging each other by rolling elements and a reduction gear means... wherein the screw engages the actuating member through a rolling element capable of carrying at least one of an axial load and a radial load. Thus, as recited in the claims the screw engages the actuating member through a rolling element, unlike Penrod where the screw is connected to the piston through the swivel or the single ball and cup. Accordingly, Applicants respectfully request the rejection of claims 1, 2, 4, 9, 13, 21, 25, 29 and 30 under 35 U.S.C. §102(b) be withdrawn.

V. Claim Rejections Under 35 U.S.C. §103(a)

Claims 5 and 24 are rejected under 35 U.S.C. §103(a) as unpatentable over Penrod. The rejections are respectfully traversed. Applicants submit that claims 5 and 24 are allowable or at least their dependency on independent claim 1 for the reasons discussed above, as well as for the additional features recited therein.

The Office Action alleges in the rejection of claim 5 that it is well known in the art to use multiple gear reduction steps, no support is provided for such a conclusory statement. Similarly, the Office Action provides only conclusory statements in its rejection of claim 24 although it is alleged that the recitation of claim 24 is well known in the art. Accordingly,

Applicants respectfully request the rejection of claims 5 and 24 under 35 U.S.C. §103(a) be withdrawn.

Claims 16 and 17 are rejected under 35 U.S.C. §103(a) as unpatentable over Penrod in view of U.S. Patent No. 4,850,457 to Taig. The rejection is respectfully traversed.

Applicants assert that claims 16 and 17 are allowable for at least their dependency on independent claim 1 for the reason discussed above, as well as for the additional features recited therein.

VI. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-6, 9, 10, 12, 13, 16-21, 24, 25, 29 and 30 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Date: November 18, 2003

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